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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,951	06/20/2003	Nicholas C. Skrepetos	50085.9USU1	9487
7590 Nicholas C Skrepetos P O Box 40161 Eugene, OR 97404			EXAMINER PATEL, CHIRAG R	
			ART UNIT 2141	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			04/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/600,951

Applicant(s)

SKREPETOS, NICHOLAS C.

Examiner

Chirag R. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3 and 5-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Cowden et al. – hereinafter Cowden et al. – hereinafter Cowden (US 7,162,739).

As per claims 1 and 11, Cowden discloses a computer-implemented method for dynamically extending an application stored on a computing device for blocking unwanted advertisements, comprising:

querying a central database to identify any available dynamic extensions for the application; (Col 14 line 40 – Col 15 line 50)

downloading any dynamic extensions to the computing device that have not been previously downloaded; and (Col 14 line 50 – Col 15 line 50)

updating the application to include further advertisement blocking functionality provided by any downloaded dynamic extensions. (Col 14 line 50 – Col 15 line 50)

As per claim 2, 12, and 16, Cowden discloses the computer-implemented method of claim 1, wherein the dynamic extension results from an extension update process, comprising:

monitoring a network browsing session for any newly discovered methods of advertising; (Col 13 lines 21-33)

recording attributes of a newly discovered method for advertising when the newly discovered method for advertising is encountered; and (Col 13 lines 21-33)

transmitting the attributes to the central database such that the dynamic extension is generated in response to the attributes of the newly discovered method for advertising. (Col 11 lines 19-31)

As per claim 3, Cowden discloses the computer-implemented method of claim 2, wherein the attributes comprise at least one of a domain of the page on which the advertisement occurred and the method of how the advertisement occurred. (Col 12 lines 23-34)

As per claim 5, Cowden discloses the computer-implemented method of claim 1, wherein the dynamic extension comprises text based instructions on how to interact with a specified advertising method. (Col 9 lines 14-21; Col 11 lines 5-18)

As per claim 6, Cowden discloses the computer-implemented method of claim 1, wherein the dynamic extension comprises information regarding at least one of XML,

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HTML, DHTML, JavaScript, VBScript, and Jscript used to locate and identify an advertisement. (Col 11 lines 5-18)

As per claim 7, Cowden discloses the computer-implemented method of claim 1, wherein the dynamic extension comprises information for removing at least one of XML, HTML, DHTML, JavaScript, VBScript, and Jscript from a web page. (Col 11 lines 5-18)

As per claims 8 and 13, Cowden discloses the computer-implemented method of claim 1, further comprising notifying a user prior to downloading any dynamic extensions to the computing device. (Col 15 lines 8-21)

As per claims 9 and 14, Cowden discloses the computer-implemented method of claim 8, further comprising providing the user with a selection of whether to continue with downloading any dynamic extensions to the computing device. (Col 14 lines 25-37)

As per claims 10 and 15, Cowden discloses the computer-implemented method of claim 8, further comprising providing optional information about each specific extension such that the user is informed of the impact of the dynamic extension and the advertising method to which the dynamic extension applies. (Col 15 lines 8-21)

As per claim 17, Cowden discloses the system of claim 16, wherein the dynamic extension is downloaded to the computing device in response to a query from the computing device. (Col 14 lines 25-38)

As per claim 18, Cowden discloses the system of claim 16, wherein the central database determines whether a particular dynamic extension has previously been downloaded to the computing device prior to downloading the particular dynamic extension. (Col 14 lines 15-37)

As per claim 19, Cowden discloses the system of claim 16, wherein information for extending the functionality of the advertisement blocking application includes at least one of information regarding where in the decision-making pipeline of the advertisement blocking application operations of the dynamic extension reside, and a ranking component that allows the advertisement blocking application to determine the order in which the application extensions and rules are processed. (Col 7 lines 28-43)

As per claim 20, Cowden discloses the system of claim 16, wherein the user is optionally notified prior to downloading any dynamic extensions to the computing device and the user is at least one of provided with a selection of whether to continue with downloading any dynamic extensions to the computing device, and provided optional information about each specific extension such that the user is informed of the impact of

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the dynamic extension and the advertising method to which the dynamic extension applies. (Col1 lines 59-67, Col 15 lines 32-37)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cowden (US 7,162,739) in view of Dorn et al. – hereinafter Dorn (US 6,836,880).

As per claim 4, Cowden discloses the computer-implemented method of claim 1. Cowden fails to disclose wherein the dynamic extension comprises additional computer code in the form of a group comprising .DLL, .OCX, and .EXE. Dorn discloses wherein the dynamic extension comprises additional computer code in the form of a group comprising .DLL, .OCX, and .EXE. (Col 2 lines 16-19) At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to disclose dynamic extension comprises additional computer code in the form of a group comprising .DLL, .OCX, and .EXE. in the disclosure of Cowden. The motivation for doing so would have been to enhance system functionality. (Col 1 lines 36-40)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chirag R. Patel whose telephone number is (571)272-7966. The examiner can normally be reached on Monday to Friday from 7:30AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia, can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://paired.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER